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FILED

Jan 13 2025

Mark B. Busby
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

12 UNITED STATES OF AMERICA *ex rel.*) Civil Action No. 24-cv-6344-AGT
 13 TAXPAYERS AGAINST FRAUD LLC,)
)

14 Plaintiff,)
)

15 v.)
)

16 HUMANGOOD NORCAL CORP, et al.,)
)

17 Defendants.)
)

) **EX PARTE REQUEST FOR PARTIAL
 LIFT OF THE SEAL AND [PROPOSED]
 ORDER**

) **FILED UNDER SEAL**

21
 22 The United States of America hereby requests that this Court partially lift the seal in the above-
 captioned *qui tam* matter so that, at its discretion, the United States may disclose the existence of this *qui
 tam* suit and the allegations raised by Relator Taxpayers Against Fraud LLC (“Relator”) against
 Defendants HumanGood NorCal Corp., HumanGood SoCal Corp., HumanGood Nevada Corp.,
 HumanGood Idaho Corp., HumanGood Pennsylvania Corp., HumanGood Fresno Corp., HumanGood
 Arizona Inc., and HumanGood Washington Corp. (collectively, “Defendants”) and provide a copy of the
 complaint and any amended complaints subsequently filed (or partially redacted copies thereof) to (1)

1 relators and their counsel in *qui tam* actions against any defendant named in this action pending in other
 2 federal jurisdictions; and (2) courts where such matters are or may be pending. This application is based
 3 on the following facts:

4 1. This request is being filed *ex parte* pursuant to Civil L.R. 7-10 and the FCA, 31 U.S.C.
 5 §§ 3729-3733, and is not being served on Defendants because the matter currently remains under seal
 6 pursuant to the FCA. This filing is also not being served on the Relator, its members, or its counsel
 7 because to do so would alert them to the potential existence of other sealed *qui tam* actions before the
 8 United States has permission from those courts to partially lift the seal on those actions, and before the
 9 United States could disclose the existence of Relator's action to the relators that may have filed those
 10 other *qui tam* complaints. With the grant of this request to partially lift the seal on this case, as well as
 11 the grant from other courts in those other potential pending matters, the United States intends to disclose
 12 this action and any other potential pending actions to any and all relators simultaneously.

13 2. Relator filed this case on September 10, 2024, under the *qui tam* provisions of the FCA.
 14 Among other things, the FCA's *qui tam* provisions authorize private parties (known as relators) to file
 15 lawsuits alleging FCA violations on behalf of the United States. 31 U.S.C. § 3730(b). In this case, the
 16 Relator alleges that Defendants violated the FCA by, *inter alia*, seeking and obtaining loans and loan
 17 forgiveness under the Small Business Administration's Paycheck Protection Program (PPP) despite being
 18 ineligible for such loans due to their employee count and lack of economic necessity.

19 3. Other *qui tam* lawsuits, filed under the federal False Claims Act and under separate state
 20 False Claims Act statutes, may have been filed against one or more Defendants in this action. The United
 21 States submits that allegations in those actions may be similar to, or in fact overlap with, some of the
 22 allegations contained in the present case. To the extent that any such other actions are pending, the
 23 United States submits this application so that, at the discretion of the United States, the United States may
 24 disclose the allegations raised by Relator and provide a copy of the Complaint and any amended
 25 complaints subsequently filed to relators and their counsel in *qui tam* actions against any Defendants
 26 pending in other federal judicial districts and courts in which such other matters may be pending.

27 4. Providing the complaints to the relators in each action will enable the United States to
 28 discuss the various allegations with all of the relators, and will enable the relators to discuss with each

1 other whether the allegations in their cases overlap and implicate the first-in-time rule of 31 U.S.C.
2 § 3730(b)(5).

3
4
5 DATED: January 13, 2025

6 Respectfully submitted,
7 ISMAIL J. RAMSEY
United States Attorney

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Assistant United States Attorney

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16 *Attorneys for United States of America*

1 **[PROPOSED] ORDER TO PARTIALLY LIFT THE SEAL**

2 IT IS HEREBY ORDERED THAT:

3 The seal in this case shall be partially lifted to allow the United States, at its discretion, to discuss
4 this *qui tam* suit and to provide a copy of the complaint and any amended complaints subsequently filed
5 (or partially redacted copies thereof) to (1) relators and their counsel in *qui tam* actions against
6 Defendants pending in other federal judicial districts and (2) courts in which such matters are or may be
7 pending.

8

9 IT IS SO ORDERED.

10

11 DATED: _____

12

13 _____
14 HON. ALEX G. TSE
15 United States Magistrate Judge